

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL PLANNING & DEVELOPMENT



September 17, 2014

Via E-Mail and U.S. Mail

Mr. Ronald E. Moulton
Acting Regional Manager
Desert Southwest Customer Service Region
Western Area Power Administration
P.O. Box 6457
Phoenix, AZ 85005-6457

Re: Boulder Canyon Project (BCP) Post-2017 Resource Pool Proposed
Allocation of Power

Dear Mr. Moulton:

The Agua Caliente Band of Cahuilla Indians (“ACBCI”) greatly appreciates this opportunity to comment on the August 6, 2014 Notice of Proposed Allocation published by the Western Area Power Association (“WAPA”) relating to the Boulder Canyon Project Post-2017 Resource Pool (the “Notice”). The Notice was issued pursuant to the Hoover Power Allocation Act of 2011 (“HPAA”).

ACBCI wishes to thank the staff of WAPA for its work on this matter. However, for a variety of reasons, ACBCI urges WAPA to reconsider its allocation of just 1.449 megawatts of contingent capacity to ACBCI and increase such allocation to at least 2.5 to 3 megawatts pursuant to HPAA.

The factors that compel such reconsideration include at least the following:

1. WAPA took into account ACBCI’s historical usage only. Given HPAA’s express purposes and the fact that ACBCI provides numerous economic advantages to the region, ACBCI’s *future* load needs should be accommodated. As previously explained, ACBCI’s expansion plans (with their attendant positive impacts in economic activity and job creation) require additional allocations to ACBCI. We note that nothing in HPAA prevents WAPA from studying future needs.

2. ACBCI’s allocation should be increased by at least 1 megawatt because ACBCI’s current allocation of 1 megawatt from Parker-Davis is not relevant to this allocation for Hoover Power. Under HPAA, power from other Federal facilities should not operate to reduce a tribe’s Hoover allocation. Accordingly, disregarding the Parker-Davis transaction and expanding the Hoover allocation correspondingly would be equitable and legally proper.



3. The “contingent” nature of the Hoover allocation could mean that ACBCI may, in fact, receive as little as 50% of the allocation on a “firm” basis. This places ACBCI in a position of uncertainty in regard to its expansion plans. In view of the “contingent” classification of the power, the allocation to ACBCI should be increased to allow better predictability as to the amount of power ACBCI will actually receive.

ACBCI looks forward to further discussions with WAPA. As you can appreciate, we must reserve our legal rights and remedies, as well as our right to request copies of certain WAPA writings relating to the proposed allocation to ACBCI.

Sincerely,
AGUA CALIENTE BAND OF
CAHUILLA INDIANS

By: 

Todd Hooks
Economic Development Director